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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ORLANDO MARTIN,

11 Plaintiff,

Case No. 2:05-cv-00557 ALA (P)

12 vs.

13 ALVARO C. TRAQUINA, et al.,

14 Defendants.

INFORMATIONAL ORDER

15
16 On May 13, 2008, Plaintiff filed a request for subpoena forms and assistance from the
17 Court to calculate witness fees for the two witnesses, Dr. Chin and Dr. Highsmith, that he
18 intends to call at trial. (Doc. No. 107).

19 Pursuant to 28 U.S.C. § 1821(b):

20 A witness shall be paid an attendance fee of \$40 per day for each
21 day's attendance. A witness shall also be paid the attendance fee
22 for the time necessarily occupied in going to and returning from
the place of attendance at the beginning and end of such attendance
or at any time during such attendance.

23 In addition to the daily witness fee of \$40.00, the witness is entitled to travel expenses calculated
24 at 50.5 cents per mile for the mileage to and from the courthouse. 28 U.S.C. § 1821(c)(2).

25 The trial is estimated to last three days, therefore, the witness fee for each witness is
26 \$120.00. In addition, Dr. Chin's travel expenses for the mileage incurred to and from his office

1 in Napa, California, to the courthouse in Sacramento, California (110 miles) are calculated to be
2 \$55.55 per day, for a total of \$166.65 for the estimated three days of travel. Dr. Highsmith's
3 travel expenses for the mileage incurred to and from his office in Vacaville, California to the
4 courthouse in Sacramento, California (62 miles) are calculated to be \$31.31 per day, for a total
5 of \$93.93 for the estimated three days of travel. Therefore, if Mr. Martin chooses to subpoena
6 these two individuals, a money order in the amount of \$286.65 payable to Dr. Chin needs to
7 accompany his subpoena, and money order in the amount of \$213.93 payable to Dr. Highsmith
8 needs to accompany his subpoena.

9 The Clerk of the Court was directed on May 8, 2008, to provide Mr. Martin with blank
10 subpoena forms.

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12 DATED: May 16, 2008

/s/ Arthur L. Alarcón
UNITED STATES CIRCUIT JUDGE
Sitting by Designation